

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/9/24</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
- v. -	:	CONSENT PRELIMINARY ORDER OF FORFEITURE/ <u>MONEY JUDGMENT</u>
CHRISTOPHER MARINO,	:	
Defendant.	:	S4 20 Cr. 160 (MKV)
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WHEREAS, on or about November 4, 2020, CHRISTOPHER MARINO (the “Defendant”), was charged in a Sealed Superseding Information, S4 20 Cr. 160 (MKV) (the “Information”), with drug adulteration and misbranding conspiracy in violation of Title 18, United States Code, Section 371 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 334 and Title 28, United States Code, Section 2461, of any and all drugs that were adulterated or misbranded when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, under the provisions of sections 331(11), 344, or 355 of Title 21, United States Code;

WHEREAS, on or about September 25, 2020, the Defendant pled guilty to Count One of the Information, pursuant to an agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Count One of the Information and agreed to forfeit, pursuant to Title 21, United States Code, Sections 334 and 853, and Title 28, United States Code, Section 2461(c), a sum of money in United States currency, representing the value of forfeitable property the Defendant obtained as a result of the offense charged in Count One of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$91,829 in United States currency representing the value of the forfeitable property the Defendant obtained as a result of the offense charged in Count One of the Information, for which the Defendant is jointly and severally liable with his co-defendant, Nicholas Surick; and

WHEREAS, the Defendant admits that, as a result of the acts and/or omissions of the Defendant, the value of the forfeitable property involved in the offense charged in Count One of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Sarah Mortazavi, of counsel, and the Defendant, and his counsel, Karloff C. Commissiong, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$91,829 in United States currency (the "Money Judgment"), representing the value of the forfeitable property the Defendant obtained as a result of the offense charged in Count One of the Information, for which the Defendant is jointly and severally liable with Surick, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, CHRISTOPHER MARINO, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals

Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

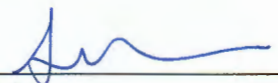
7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

Sarah Mortazavi
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2520

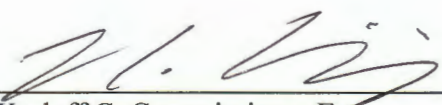
5/9/24
DATE

CHRISTOPHER MARINO

By: 

CHRISTOPHER MARINO

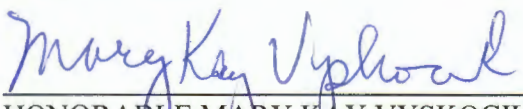
5-9-2024
DATE

By: 

Karloff C. Commissiong, Esq.
Attorney for Defendant

5/9/2024
DATE

SO ORDERED:



HONORABLE MARY KAY VYSKOCIL
UNITED STATES DISTRICT JUDGE

5/9/2024
DATE